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September 15, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 15, 2004
Date

Michael C. Barrett for:
Gina N. Shishima

MS AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: SN 10/017,472 entitled "Methods of Treatment Involving Human MDA-7" by
Chada et al.
Our ref: INGN:097US

Commissioner:

Enclosed for filing in the above-referenced patent application are the following:

- (1) Notice of Appeal;
- (2) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

For any fees under 37 C.F.R. §§ 1.16 to 1.21 relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/INGN:097US.

Very truly yours,

Michael C. Barrett (reg. 44,523) for:
Gina N. Shishima
Reg. No. 45,104

GNS/ddr
Enclosures

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Michael C. Barrett for:

Gina N. Shishima

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Chada et al.

Serial No.: 10/017,472

Filed: December 7, 2001

For: Methods of Treatment Involving Human
MDA-7

Group Art Unit: 1632

Examiner: Li, Qian Janice

Atty. Dkt. No.: INGN:097US

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 15, 2004 finally rejecting claims 1-4, 7-25, 32-43, and 75-77.

The fee for filing this Notice of Appeal is \$330.00 and should be deducted from the deposit account below.

Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/INGN:097US.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,

Michael C. Barrett (reg. 44,523) for:

Gina N. Shishima

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Date: September 15, 2004